Moderated by Board Member Edward Kelly November 8, 2017

Objectives:

- Become familiar with International Religious Freedom Act (IRFA) and the work of the United States Commission on International Religious Freedom;
- Be able to identify conditions facing Christian Minorities in Egypt, Iraq,
 China, and Indonesia; and
- Be able to identify key adjudicative pitfalls in addressing claims for relief or protection based on religious persecution

Introduction

Ms. Elizabeth Cassidy
Director of International Law and Policy, USCIRF

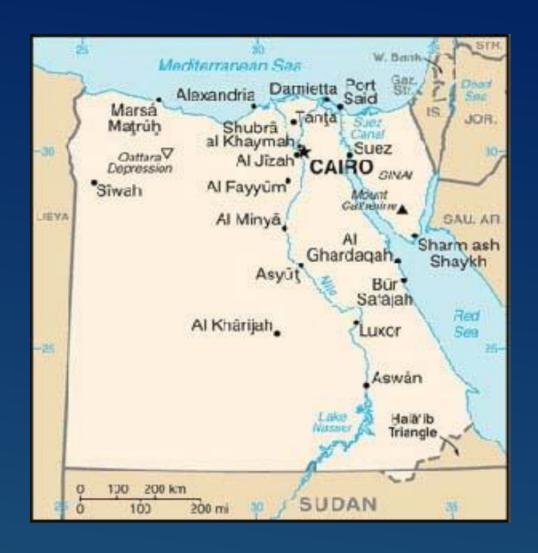
Ms. Tina Mufford Senior Policy Analyst, USCIRF

Ms. Jomana Qaddour Policy Analyst, USCIRF

Mr. Edward Kelly Board Member, EOIR, BIA

Topics:

- IRFA and the USCIRF
- Conditions Faced by Evangelical and Other Christian Minorities in Egypt and Iraq
 - BREAK -
- Conditions Faced by Evangelical and Other Christian Minorities in China and Indonesia
- Adjudicative Issues in Religion-Based Asylum Claims



Egypt

Map source: https://www.state.gov/p/nea/ci/eg/



Iraq

Map Source: https://www.state.gov/p/nea/ci/iz/



China

Map source: https://www.state.gov/p/eap/ci/ch/index.htm/



Indonesia

Map source: https://www.state.gov/p/eap/ci/id/

Adjudicating Claims Based on Religious Persecution: State Entanglement in Religion

Theme:

Avoid State Entanglement in Religion –

but still get the job done.

Supreme Court of the United States

"It is not within the judicial ken to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretations of those creeds."

→ Employment Div., Dep't of Human Res. Of Oregon v. Smith, 494 U.S. 872, 887 (1990) (internal citations and quotations omitted) overturned on other grounds by Holt v. Hobbs, 135 S. Ct. 853 (2015).

The resolution of doctrinal disputes "is for ecclesiastical and not civil tribunals."

→ Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 702 (1976).

Sincerity or Genuineness of Belief v. Knowledge of Doctrine

Imputed Beliefs

Corroboration

Other Issues:

- Importance of Country Condition Evidence and Monitoring Groups in a dynamic situation
- Administrative Notice and Expert Witnesses
- Ninth Circuit Standards for Credibility in Motions